

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLES E. HAYNES, individually and  
as a personal representative of the estate  
of Bradlee Nathan Haynes, deceased,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-04017

SERGIY GREBINNYK, an individual,  
And SAFINA INC., A North Carolina  
Corporation,

Defendants.

**ANSWER OF GUARDIAN AD LITEM**

Comes now William W. Pepper, Guardian ad Litem heretofore appointed, to file this Answer to the Verified Petition for Approval of Wrongful Death Settlement and Distribution of Proceeds pursuant to Chapter 44, Article 10, Section 14 of the West Virginia Code as follows:

1. The Guardian ad Litem has reviewed and confirmed the facts set forth in the Petition and the facts and circumstances of the minors, including the injuries and losses the minors are alleged to have received; the proposed amounts and procedures for distribution of settlement proceeds; and other relevant information appearing in the Petition or otherwise.

2. Your Guardian ad Litem has conferred with Ashli Slaven, the mother of the children, concerning all matters regarding the Petition.

3. Considering all of the pertinent circumstances, particularly the challenges facing the plaintiff in proving liability and proximate cause, your Guardian ad Litem is of the opinion that the proposed settlement sum of \$500,000.00 is reasonable.

4. As for the proposed distribution of the proceeds, all parties agreed in writing to it, including the mother of the two step-children. The two infant step-children are to each receive the same amount as their mother, who was married to the decedent at time of his death, and the same amount as the decedent's sister, half-sister and step siblings.

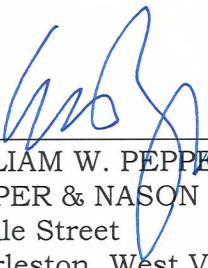
5. The undersigned believes that the decedent had a warm, loving and nurturing relationship with his step-daughters throughout the nearly two-year marriage. The filing of a divorce and the separation of the decedent from his wife was followed by attempts to reconcile that remained ongoing at the time of his death. It is unknown whether reconciliation would have been viable. It is unknown whether the decedent would have reentered the lives of his step-daughters to resume his positive relationship with them.

6. Accordingly, the undersigned is of the opinion that the proposed settlement and release and proposed distribution of settlement proceeds is in the best interest of the minor children.

7. The undersigned has learned that Ms. Slaven, natural mother of the two step-children, will deposit the net settlement trust proceeds into certificates of deposit in a regulated financial institution that is fully insured by federal deposit insurance in the name of each minor and payable by the financial institution only to the minor upon presentation of proper identification after the minor attains the age of majority. The undersigned approves this approach and, accordingly, does request that the Court dispense with the referral of these accounts to a fiduciary commissioner or supervisor as authorized by West Virginia Code § 44-10-14(g)(4), each account being under the sum of \$25,000.00.

WHEREFORE, your Guardian ad Litem asks that he be dismissed with his fees and expenses incurred and for such other and further relief as is just.

WILLIAM W. PEPPER  
Guardian ad Litem



WILLIAM W. PEPPER (WV Bar No. 2857)  
PEPPER & NASON  
8 Hale Street  
Charleston, West Virginia 25301  
304-346-0361  
*Guardian ad Litem*

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**VERIFICATION**

STATE OF WEST VIRGINIA,  
COUNTY OF KANAWHA, to-wit:

I, WILLIAM W. PEPPER, Guardian ad Litem, named in the foregoing pleading,  
after being first duly sworn, says that the facts and allegations contained therein are  
true, except insofar as they are therein stated to be on information, and that insofar as  
they are therein stated, they are believed to be true.

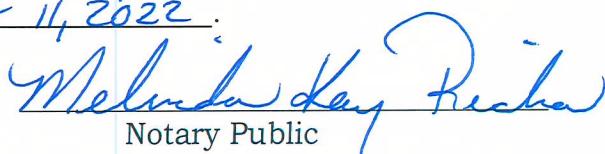
Dated this 21 day of May, 2018.

  
\_\_\_\_\_  
WILLIAM W. PEPPER

I, Melinda Kay Richau, a Notary Public in and for the State and County  
aforesaid, do hereby certify that WILLIAM W. PEPPER whose name is signed to the  
foregoing instrument, have this day acknowledged the same before me in my said county.

Given under my hand this the 21<sup>st</sup> day of May, 2018.

My commission expires November 11, 2022.

  
\_\_\_\_\_  
Notary Public



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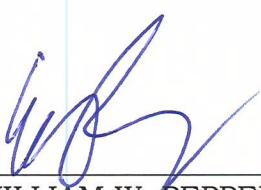
**CERTIFICATE OF SERVICE**

I, William W. Pepper, Guardian ad Litem, do hereby certify that I have served a copy of the *ANSWER OF GUARDIAN AD LITEM* upon the following by first-class U.S. Mail on the 21st day of May, 2018.

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Goodwin & Goodwin, LLP  
300 Summers Street, Suite 1500  
Charleston, WV 25301  
Counsel for Plaintiff

Ashli Brook Slaven  
71 Whirlaway Drive  
Evans, WV 25241

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200 Capitol Street  
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Counsel for Defendants

  
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*Guardian ad Litem*